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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

**AINSLEY S. KELLY, Survivor
Of JESSI-KEALOHA PHOENIX,**

Plaintiff,

vs.

MICHAEL J. ASTRUE,
Commissioner of Social Security
Administration,

Defendant.

Civil No. CV 09-6324-JE

**ORDER FOR ATTORNEY FEES
PURSUANT TO EAJA**

After considering the Stipulated Motion of the parties submitted herein, Order hereby grants that Commissioner shall pay the sum of \$5677.47 and expenses of \$18.96 (Service costs), for a total of \$5696.43, upon verification that Plaintiff has no debt to the government which qualifies for offset against the awarded fees, pursuant to the reasoning in *Astrue v. Ratliff*, ____ U.S. ____, 130 S. Ct. 2521, 2527 (2010) (EAJA awards fees subject “to a federal administrative offset if the Litigant has outstanding federal debts”) for full settlement of all claims for fees

under EAJA. Court filing-fees shall be awarded to Plaintiff attorney in the sum of \$350.00 pursuant to 28 U.S.C. §1920.

If Plaintiff has no outstanding federal debt, payment of \$5696.43 plus \$350.00 reimbursement of Court filing-fees shall be made to Plaintiff's attorney and mailed to his office at 1700 Valley River Drive, Eugene, OR 97401. If Plaintiff has such debt, the check for any remaining funds after offset shall be made out to Plaintiff and mailed to counsel's office at the address provided above.

IT IS SO ORDERED this day of July 8, 2011

/s/ John Jelderks
U.S. District Judge Magistrate Judge

PRESENTED BY:

By: /s/ DREW L. JOHNSON
Drew L. Johnson, OSB #75200
Of Attorneys for Plaintiff